

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT L. HAYES, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) 2:18cv291  
                        ) **Electronic Filing**  
AAA EAST CENTRAL, )  
                        )  
Defendant.           )

**ORDER OF COURT**

AND NOW, this 12<sup>th</sup> day of June, 2018, upon consideration of the Motion to Dismiss Complaint Pursuant to F.R.C.P. 12(b)(1) and 12(b)(6) (**Document No. 5**) filed on behalf of Defendant, the Plaintiff having no opposition,

IT IS HEREBY ORDERED that the Motion to Dismiss is **GRANTED**. The Complaint is dismissed without prejudice. The claims set forth in the Complaint shall be adjudicated pursuant to the terms and provisions of the Mutual and Binding Arbitration Agreement entered into by the parties. The Clerk shall mark this case closed.

s/ DAVID STEWART CERCOME

David Stewart Cercone  
Senior United States District Judge

cc: Sean L. Ruppert, Esquire  
Frederick J. Wolfe, Esquire

*(Via CM/ECF Electronic Mail)*